

**HOUSE JOURNAL  
58TH LEGISLATURE  
FORTY-NINTH LEGISLATIVE DAY**

Helena, Montana  
March 8, 2003

House Chambers  
State Capitol

House convened at 7:30 a.m. Mr. Speaker in the Chair. Invocation by Representative E. Clark. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Cyr, Dickenson, Gallus, Gillan, Harris, Lange, Lenhart, Lewis, Rice, Windy Boy, and Younkin, excused. Quorum present.

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Bookout-Reinicke, Chairman): 3/7/2003  
Correctly engrossed: **SB 47**.

**JUDICIARY** (Shockley, Chairman): 3/7/2003  
**SB 20**, be concurred in and be placed on the consent calendar. Report adopted.  
**SB 32**, be concurred in and be placed on the consent calendar. Report adopted.  
**SB 49**, be concurred in and be placed on the consent calendar. Report adopted.

**NATURAL RESOURCES** (Younkin, Chairman): 3/7/2003  
**SB 14**, be concurred in. Report adopted.  
**SB 69**, be concurred in and be placed on the consent calendar. Report adopted.

**TAXATION** (Fuchs, Chairman): 3/8/2003  
**SB 31**, be concurred in and be placed on the consent calendar. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill** concurred in and returned to the House: 3/8/2003  
**HB 150**, introduced by Lawson

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 748**, introduced by Devlin, Bales, Forrester, Gebhardt, Hedges, Kitzenberg, Lambert, Lindeen, Maedje, Mangan, McCarthy, McNutt, Nelson, A. Olson, Pattison, Shea, Smith, referred to Taxation.

**HB 749**, introduced by Peterson, Bales, R. Brown, Devlin, Facey, Forrester, Fuchs, Gillan, Glaser, Lake, Lambert, Mendenhall, A. Olson, Ross, referred to Taxation.

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 452** passed as follows:

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Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Dowell, Erickson, Everett, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Laslovich, Laszloffy, Lawson, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Roberts, Ross, Ryan, Schruppf, Shockley, Small-Eastman, Smith, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Mr. Speaker.

Total 76

Noes: D. Brown, Devlin, Fisher, Jackson, Lehman, Pattison, Ripley, Rome, Sales, Sinrud, Steinbeisser, Waitschies, Witt.

Total 13

Excused: Cyr, Dickenson, Gallus, Gillan, Harris, Lange, Lenhart, Lewis, Rice, Windy Boy, Younkin.

Total 11

Absent or not voting: None.

Total 0

**SB 41**, from consent calendar, concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Laslovich, Laszloffy, Lawson, Lehman, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Witt, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Cyr, Dickenson, Gallus, Gillan, Harris, Lange, Lenhart, Lewis, Rice, Windy Boy, Younkin.

Total 11

Absent or not voting: None.

Total 0

**SB 42**, from consent calendar, concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Laslovich, Laszloffy, Lawson, Lehman, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss,

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Wilson, Witt, Mr. Speaker.  
Total 89

Noes: None.  
Total 0

Excused: Cyr, Dickenson, Gallus, Gillan, Harris, Lange, Lenhart, Lewis, Rice, Windy Boy, Younkin.  
Total 11

Absent or not voting: None.  
Total 0

**SB 43**, from consent calendar, concurred in as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Laslovich, Laszloffy, Lawson, Lehman, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Witt, Mr. Speaker.  
Total 87

Noes: Balyeat, Sales.  
Total 2

Excused: Cyr, Dickenson, Gallus, Gillan, Harris, Lange, Lenhart, Lewis, Rice, Windy Boy, Younkin.  
Total 11

Absent or not voting: None.  
Total 0

**HB 79, as amended by the Governor**, passed as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Carney, E. Clark, Devlin, Everett, Fisher, Forrester, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Pattison, Peterson, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Mr. Speaker.  
Total 55

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, P. Clark, Cohenour, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Jacobson, Jayne, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Newman, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson.  
Total 35

Excused: Cyr, Dickenson, Gallus, Gillan, Harris, Lenhart, Lewis, Rice, Windy Boy, Younkin.  
Total 10

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Absent or not voting: None.  
Total 0

**HB 106, as amended by the Senate,** passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Witt, Mr. Speaker.  
Total 90

Noes: None.  
Total 0

Excused: Cyr, Dickenson, Gallus, Gillan, Harris, Lenhart, Lewis, Rice, Windy Boy, Younkin.  
Total 10

Absent or not voting: None.  
Total 0

**HB 116, as amended by the Senate,** passed as follows:

Ayes: Andersen, Ballantyne, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Witt, Mr. Speaker.  
Total 77

Noes: Balyeat, Barrett, Everett, Fisher, Fuchs, Hawk, Jackson, Laszloffy, Morgan, Pattison, Sales, Sinrud, Waitschies.  
Total 13

Excused: Cyr, Dickenson, Gallus, Gillan, Harris, Lenhart, Lewis, Rice, Windy Boy, Younkin.  
Total 10

Absent or not voting: None.  
Total 0

**HB 128, as amended by the Senate,** passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Golie, Haines, Hawk, Hedges, Hurwitz,

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Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Witt, Mr. Speaker.  
Total 88

Noes: Gutsche, Wanzenried.  
Total 2

Excused: Cyr, Dickenson, Gallus, Gillan, Harris, Lenhart, Lewis, Rice, Windy Boy, Younkin.  
Total 10

Absent or not voting: None.  
Total 0

**HB 149, as amended by the Senate, passed as follows:**

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Witt, Mr. Speaker.  
Total 90

Noes: None.  
Total 0

Excused: Cyr, Dickenson, Gallus, Gillan, Harris, Lenhart, Lewis, Rice, Windy Boy, Younkin.  
Total 10

Absent or not voting: None.  
Total 0

**HB 479 passed as follows:**

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Witt, Mr. Speaker.  
Total 90

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Noes: None.  
Total 0

Excused: Cyr, Dickenson, Gallus, Gillan, Harris, Lenhart, Lewis, Rice, Windy Boy, Younkin.  
Total 10

Absent or not voting: None.  
Total 0

**HB 624** passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Thomas, Wagman, Wanzenried, Weiss, Wilson, Witt, Mr. Speaker.  
Total 83

Noes: Balyeat, Everett, Lake, Sales, Steinbeisser, Stoker, Waitschies.  
Total 7

Excused: Cyr, Dickenson, Gallus, Gillan, Harris, Lenhart, Lewis, Rice, Windy Boy, Younkin.  
Total 10

Absent or not voting: None.  
Total 0

**HB 642** passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Bitney, Bookout-Reinicke, Branae, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Erickson, Facey, Forrester, Franklin, Fritz, Fuchs, Gallik, Galvin-Halcro, Gibson, Golie, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Lehman, Lindeen, Maedje, Matthews, McKenney, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Ripley, Rome, Ross, Ryan, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Weiss, Wilson, Witt, Mr. Speaker.  
Total 65

Noes: Balyeat, Becker, Bergren, Bixby, D. Brown, R. Brown, Dowell, Everett, Fisher, Gutsche, Jayne, Jent, Juneau, Kaufmann, Laszloffy, Lawson, Malcolm, Mendenhall, Morgan, Musgrove, Raser, Roberts, Sales, Wagman, Wanzenried.  
Total 25

Excused: Cyr, Dickenson, Gallus, Gillan, Harris, Lenhart, Lewis, Rice, Windy Boy, Younkin.  
Total 10

Absent or not voting: None.  
Total 0

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**SPECIAL ORDERS OF THE DAY**

The following bill was placed on the consent calender: **SB 27**.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Monday, March 10, 2003. Motion carried.

House adjourned at 7:46 a.m.

MARILYN MILLER  
Chief Clerk of the House

DOUG MOOD  
Speaker of the House